



UNITED STATES MARINE CORPS  
MARINE CORPS BASE  
CAMP LEJEUNE, NORTH CAROLINA 28542-5001

EC 12000.4A  
EMWR  
16 AUG 91

BASE ORDER 12000.4A

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From: Commanding General  
To: Distribution List

*0715 23 Aug 91* (TIME & DATE)

Subj: EMPLOYMENT PROTECTION FOR CERTAIN NONAPPROPRIATED FUND INSTRUMENTALITY  
EMPLOYEES/APPLICANTS

Ref: (a) MCO 12000.10 (NOTAL)

1. Purpose. To publish Department of Defense (DoD) policy, as required by the reference, which establishes protection against reprisals for certain Nonappropriated Fund instrumentality (NAFI) civilian employees and applicants who have made protected disclosures. The reference sets forth responsibilities and authorities for providing such protection and prescribes operating procedures.

2. Cancellation. BC 12000.4.

3. Summary of Revision. This Order has been completely revised and should be reviewed in its entirety.

4. Policy

a. It is DoD policy that NAFI employees and applicants shall be free from reprisal in making protected disclosures and that the confidentiality of employees and applicants making such disclosures shall be protected.

b. Any civilian appropriated or nonappropriated fund instrumentality employee and any member of the Armed Forces who has authority to take, to direct others to take, and/or to recommend or approve any personnel action shall not, under such authority, take or fail to take a personnel action as a reprisal for disclosure of protected information with respect to any NAFI employee (or applicant).

5. Definitions

a. Protected Disclosure means:

(1) A disclosure of information by an employee or applicant that the employee or applicant reasonably believes evidences a violation of any law or regulation; or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; if such disclosure is not specifically prohibited by law and if the information is not specifically required by or pursuant to executive order to be kept secret in the interest of national defense or the conduct of foreign affairs; or

(2) A disclosure by such an employee or applicant to any civilian employee or member of the Armed Forces designated by law or the Secretary of Defense to receive disclosures described in paragraph 7.a. above, of information which the employee or applicant reasonably believes evidences a violation of any law, rule, or regulation; or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health and safety.

b. Nonappropriated Fund Instrumentality (NAFI) Employee means a civilian or off-duty military employee of a DoD Component who is paid from nonappropriated funds and assists in providing programs for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces and authorized civilians.

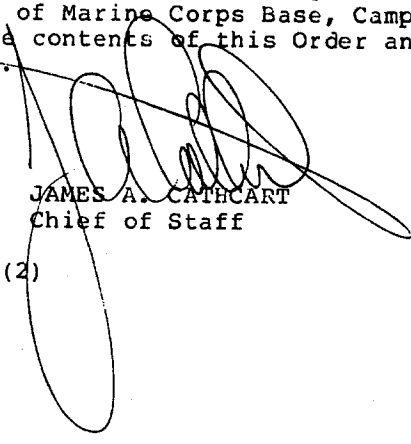
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c. Personnel Action with respect to a NAFI employee (or an applicant for a position as such an employee), means:

- (1) An appointment;
- (2) A promotion;
- (3) A disciplinary or corrective action;
- (4) A detail, transfer, or reassignment;
- (5) A reinstatement, restoration, or reemployment;
- (6) A decision concerning pay, benefits, or awards, or concerning education or training if the education or training may reasonably be expected to lead to an appointment, promotion, or other action described in this subsection; and
- (7) Any other significant change in duties or responsibilities that is inconsistent with the employee's salary or grade level.

6. Action. NAFI heads will ensure that all subordinate managers and supervisors (military and civilian) of NAFI employees of Marine Corps Base, Camp Lejeune, North Carolina, are thoroughly familiar with the contents of this Order and that this Order is posted on all Official Bulletin Boards.

  
JAMES A. CATHCART  
Chief of Staff

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